

REMARKS/ARGUMENTS

Claims 1-45, 48-56 and 60-145 are currently pending in the application. However, claims 1-32 and 59-124 are withdrawn from consideration. Based on the following remarks, Applicant respectfully requests reconsideration of the application and allowance of the claims.

I. Rejection of Claims 33-45, 48-56, 127, 128, 131-133 & 136-145 Under 35 U.S.C. § 103(a)

Claims 33-45, 48-56, 127, 128, 131-133 and 136-145 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Westbury et al. (U.S. Patent No. 6,873,963; hereinafter “Westbury”), Savino et al. (U.S. Patent No. 6,015,167; hereinafter “Savino”), Swan et al. (U.S. Patent No. 6,901,304; hereinafter “Swan”) and Boucher et al. (U.S. Patent Appln. Publn. No. 2003/0097306; hereinafter “Boucher”).

In contrast to independent claim 33, Westbury, Savino, Swan and Boucher, taken individually or in combination, do not teach or suggest and are altogether silent regarding a system comprising, *inter alia*: (A) a sender computer system comprising a processor configured to *transmit object identification data identifying* one or more *objects*, the objects defined by a sender to *identify* one or more *products or other contents of* at least one *package*; and (B) a carrier computer system comprising a processor configured to *provide data, to* at least one *device* or *recipient, identifying the objects, a location of the objects and a status of the objects* being transported *in the at least one package as the objects pass through* one or more *portals and are scanned by scanning devices of the portals* within a transport network of the carrier.

In rejecting claim 33, the Examiner relies on “column 1, under ‘SUMMARY’” and column 14 of Swan, alone or in combination with Westbury, Savino and Boucher, as allegedly disclosing the above features of claim 33. (See pg. 6 of the Office Action) Applicant respectfully disagrees.

In contrast to claim 33, the cited portion and indeed all of Swan, alone or in combination with Westbury, Savino and Boucher, at most, discloses that “[t]ags bound to items are read and information read from the tags and location information about the tags provided by at least two enterprises are used to maintain disposition information about the items.” (Col. 1, lines 38-42 of

Swan) Additionally, Swan, alone or in combination with Westbury, Savino and Boucher, at most discloses that information read from a tag bound to an item corresponds to a unique tag identifier. (Col. 1, lines 61-63 of Swan) Claim 33 recites, *inter alia*, a processor configured to provide data, to at least one device or recipient, identifying the objects defined by a sender to identify one or more products or other contents of at least one package, as the objects pass through one or more portals and are scanned by scanning devices of the portals within a transport network of the carrier.

In contrast to claim 33, Swan, alone or in combination with Westbury, Savino and Boucher, at most discloses that a unique tag identifier is read from a tag bound to an item. (See col. 1, lines 61-67 of Swan) However, nowhere in Swan, alone or in combination with Westbury, Savino and Boucher, is there any mention, teaching or suggestion relating to providing any data, to at least one device or recipient, *identifying the objects that are defined by a sender to identify one or more products or other contents of at least one package*, as recited by claim 33.

Rather, Swan, alone or in combination with Westbury, Savino and Boucher, at most discloses reading a unique tag identifier from a tag bound to an item. However, reading a unique tag identifier from an item does not teach or suggest providing data, to a device or recipient identifying the objects *defined by a sender to identify one or more products or other contents of at least one package*, as would be required by the recitations of claim 33. Nowhere in Swan, alone or in combination with Westbury, Savino and Boucher, is there any mention, teaching or suggestion relating to the unique tag identifier read from the tag that is bound to an item corresponding to any identification of objects defined by a sender to identify one or more products or other contents of at least one package, as would be required by the recitations of claim 33. The combination of Swan, Westbury, Savino and Boucher is deficient for at least this reason.

Additionally, nowhere in Swan, alone or in combination with Westbury, Savino and Boucher, is there any mention, teaching or suggestion relating to providing data, to at least one device or recipient, identifying the objects defined by a sender to identify one or more products or other contents of at least one package as the objects pass through one or more portals and are

scanned by scanning devices of the portals within a transport network of the carrier, as recited by claim 33. Instead, Swan, alone or in combination with Westbury, Savino and Boucher at most discloses that the unique tag identifier read from the tag bound to an item may be provided to enterprises in the supply chain. (Col. 1, lines 55-67 & Col. 14 of Swan) However, providing a unique tag identifier, when it is read from a tag, to enterprises in a supply chain does not teach or suggest providing data, to at least one device or recipient, *identifying the objects defined by a sender to identify one or more products or other contents of at least one package as the objects pass through one or more portals and are scanned by scanning devices of the portals within a transport network of the carrier*, as recited by claim 33. The combination is deficient for at least this additional reason.

For at least the foregoing reasons, Applicant submits that the combination of Westbury, Savino, Swan and Boucher is deficient and does not teach or suggest all of the features of claim 33. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 33 and its dependent claims 34-45, 48-56, 136, 138, 140, 142 and 144.

Since claim 127 contains features that are in some respects analogous to the features recited in independent claim 33, Applicant submits that independent claim 127 and its dependent claims 128, 131-133, 137, 139, 141, 143 and 145 are patentable at least for reasons analogous to those submitted for claim 33.

II. Rejection of Claims 125, 126, 129, 130, 134 & 135 Under 35 U.S.C. § 103(a)

Claims 125, 126, 129, 130, 134 and 135 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Westbury, Savino, Swan, Boucher and Bengston (U.S. Patent Appln Publn. No. 2002/0049781; hereinafter “Bengston”). Applicant respectfully traverses this rejection for at least the following reasons.

As discussed above, Westbury, Savino, Swan and Boucher, taken individually or in combination, is deficient vis-à-vis independent claims 33 and 127 and Bengston does not make up for the deficiencies of Westbury, Savino, Swan and Boucher. Accordingly, Applicant submits that dependent claims 125, 126, 129, 130, 134 and 135 are patentable at least by virtue of their respective dependencies from claims 33 and 127. Applicant therefore respectfully

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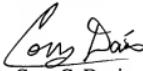
requests the Examiner to reconsider and withdraw the § 103(a) rejection of dependent claims 125, 126, 129, 130, 134 and 135.

III. Conclusion

In view of the foregoing remarks, Applicant respectfully submits that all of the claims of present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Zare is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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